

Remarks

Reconsideration and further examination of the above-identified patent application in light of the present Amendment, Reply, and Remarks is respectfully requested.

This Amendment has been made to put the application in condition for immediate allowance or in better form for appeal, if needed. No new issues have been raised which require a further search.

A Petition for an extension of time is enclosed along with the required extension fee.

Authorization is hereby given to charge any deficiency in fees or any other fees in connection with the above-identified patent application to our Deposit Account No. 23-0920.

Claims 1- 23 were pending prior to this Amendment.

Claims 20-22 are currently amended.

Claims 1-6, 8-11, and 18-23 were previously amended.

Claims 1-23 are presently pending for the consideration of the Examiner.

A timely filed terminal disclaimer is enclosed in compliance with 37 CFR 1.321(c) to overcome an actual or provisional rejection of all claims, and in particular claims 1-3 and 5, based on the nonstatutory double patenting ground in view of U.S. Patent No. 6,646,120. As indicated in the terminal disclaimer, the conflicting patent is commonly owned with this application. The statutory disclaimer fee of \$65 is enclosed.

Applicants' claims 20-22 have been currently amended to overcome the rejections under 35 USC §112. In particular, applicants' claims 20-22 have now been amended as product claims, rather than use claims, and now specify further features and limitations of the solid biomaterial of applicants' claim 1.

Since the preceding amendment complies with the Examiner's requests and cures the Examiner's objections, it is respectfully submitted that the above-identified application is now in condition for allowance. A Notice of Allowance is respectfully requested.

The Examiner is invited and encouraged to contact the undersigned attorney in order to expedite this application to allowance, if the preceding does not already place the above-identified application in condition for allowance.

Respectfully submitted,

Thomas W. Tolpin

Thomas W. Tolpin
Registration Number 27,600
Attorney for Applicants

Address:

Welsh & Katz, Ltd.
22nd Floor
120 South Riverside Plaza
Chicago, IL 60606

Phone: (312) 655-1500